

REMARKS

Prior to this Response, an Office Action was mailed April 22, 2004. In the Office Action, regarding the Claims, the Commissioner rejected Claims 1-8 and 10, and contended that Claim 9 was withdrawn by election without traverse.

In this Response, regarding the Claims, Applicant amends Claims 1, 3, 5 and 7, directs remarks traversing the rejection of Claims 1-8, and Applicant directs remarks to the contention regarding Claim 9 pointing out that Claim 9 was withdrawn with traverse.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Claims 1-8 are now pending in the present application. Reconsideration is requested. In addition to the above amendments, the Applicant makes the following remarks regarding individual issues:

THE APPLICANT'S TIME TO RESPOND

The last Office Action was mailed on April 22, 2004. The three-month initial deadline for responding ended on July 22, 2004. The Applicant hereby encloses a 3-month small entity extension fee. The initial deadline is thus extended to October 22, 2004. In determining whether this document is timely filed, the Patent Office is asked to note the Applicant's Certificate of Mailing in conjunction with 37 C.F.R. § 1.8.

THE SECTION 102(B) ANTICIPATION REJECTION

The Examiner rejected Claims 1, 2, 5, 6, and 10 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,362,905 to Ismail (hereinafter "Ismail"). The Examiner rejected Claims 3, 4, 7, 8 and 10 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,116,958 to Reichle (hereinafter "Reichle").

Anticipation under 35 U.S.C. § 102(b) requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. Lindemann Maschinenfabrik GmbH. v. American Hoist & Derrick Co., 221 USPQ 481 (Fed. Cir. 1984); Advanced Display Systems Inc. v. Kent State Univ., 54 USPQ2d 1673 (Fed. Cir. 2000). "The identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP 2131.

With respect to the Ismail rejection of Claims 1, 2, 5, 6 and 10, Ismail discloses universal adapters for modular plug telephones permitting multiple handsets or multiple telephones to be connected with a single telephone wall jack. The Commissioner contended that Ismail disclosed, in Figure 14 thereof, a flat housing with a pug and a plural of side-by-side cable jacks perpendicular thereto, and that such disclosure anticipated Claims 1, 2, 5, 6 and 10. However, the figure disclosed in Ismail fails to satisfy and in fact is contrary to the point of novelty of Applicant's invention, which is to minimize protuberance from the wall socket of cables attached to the invention. In the figure in Ismail, the housing protrudes straight out from the socket extensively. Applicant submits that the figure in Ismail does not anticipate Applicant's invention as claimed, and the

rejections are respectfully traversed. However, Applicant amends Claims as shown below to better display the novel characteristics. Applicant submits the amendments render the rejections moot.

With respect to the Reichle rejection of Claims 3, 4, 7, 8 and 10, Reichle discloses an electrical adapter with an articulated joint for interfaces at electronic devices. The Commissioner contended that Reichle disclosed a plug adapter 1 hingeably connected to cable jacks 5, 6 and that such disclosure anticipated Claims 3, 4, 7, 8 and 10. Reichle discloses a plug on one side and two sockets on the other side for receiving plugs. As shown in the drawings, the adapter of Reichle cannot swivel the sockets from 180 degrees to the plug to 90 degrees to the plug to allow a cable connected to the sockets to be parallel to the wall of a wall socket. The drawings disclose that the angle of "swivel" would be substantial less than 90 degrees. Furthermore, the description does not support a broader range. Indeed, the description minimizes the range of the swivel stating: "the shell sections of the plugging and/or socket connection are joined in an at least partially articulated connection," and "the connection of shell sections 1 and 2 is articulated to at least some extent." Reichle, col. 1, Ins. 26-27 and col. 2, Ins 34-36. Similarly, Figure 7 shoes this limited range.

The rejection is respectfully traversed. Nevertheless, Applicant has amended Claims 1, 3, 5, and 7. It is believed that the rejection has become moot by the present amendments to the claim in question. Specifically, Claims 1, 3, 5 and 7 have been amended to read:

1. A[n] cable plug connector comprising:

a housing;

a cable plug adapter connectable to a [wall] socket in a wall, attached to the housing and perpendicular to the plane of said housing; and

a cable jack in said housing, the cable jack being electrically connected to the cable plug, and said cable jack opening from said housing substantially perpendicular to the cable plug adapter such that a cable connected to said jack would be parallel to said wall socket.

3. An improved cable plug connector comprising:

a cable plug adapter for use in a [wall] socket in a wall;

a cable jack in a housing, said cable jack being electrically connected to said cable plug adapter;

said cable jack housing hingeably connected to said cable plug adapter, such that the angle between said cable plug adapter and said cable jack housing can [be varied] hinge between 180 degrees and 90 degrees such that a cable connected to said jack can be hinged to be parallel to said wall socket.

5. An improved cable plug connector comprising:

a cable plug adapter for use in a [wall] socket in a wall;

a plurality of cable jacks in a housing, arranged side-by-side in a linear fashion, said cable jacks being electrically connected to said cable plug adapter; and

said cable plug adapter connectedly attached to said housing at an angle approximating ninety degrees such that said cable jacks in said housing are parallel to said wall socket.

7. A cable plug connector comprising:

a cable plug adapter for use in a [wall] socket in a wall;

a plurality of cable jacks in a housing, arranged side-by-side in a linear fashion, said cable jacks being electrically connected to said cable plug adapter; and

said housing hingeably connected to said cable plug adapter, such that the angle between said cable plug adapter and said cable jack housing [can be varied] can hinge between 180 degrees and 90 degrees.

Notably, rejected Claim2 depends from Claim 1, Claim 4 depends from Claim 3, Claim 6 depends from Claim 5, and Claim 8 depends from Claim 7

While Applicant believes the cited art did not anticipate Claims 1-8, it is believed that the amendments make clear that Ismail and Riechle do not anticipate. These amendments are supported in the Specification at page 2, Ins. 10-11, page 4, Ins. 6-14, page 5, Ins. 4-21, page 6, Ins. 1-4, page 8, Ins. 9-10, page 9, Ins. 9-11, page 9, In. 22 to page 10, In. 2, page 10, Ins. 15-20.

Accordingly, the rejections should be withdrawn.

THE WITHDRAWAL OF CLAIM 9 WITH TRAVERSE

The Examiner contended that the election withdrawing Claim 9 was made "without traverse". Respectfully, the April 6, 2004, Response to the March 16, 2004 Office Action specifically states as follows:

"Applicant hereby elects Invention I, Claims 1-8 and 10, and Species I, Figure 9, for prosecution on the merits, with traverse. Applicant requests that in the event a generic claim is held allowable, that the nonelected claims be considered for allowance."

(Emphasis added).

Accordingly, the Examiner's contention is respectfully traversed and correction by the Examiner is requested.

CONCLUSION

For the foregoing reasons, reconsideration and allowance of Claims 1-8 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (360) 750-9931 if it appears that an interview would be helpful in advancing the case. The Applicant respectfully submits that the rejection of the pending claims must be withdrawn, and that this application is in condition for allowance. Such is earnestly requested.

Respectfully submitted,



KURT M. RYLANDER
USPTO Reg. No. 43,897

KURT M. RYLANDER TRIAL
AND PATENT ATTORNEY AT LAW PC
1014 Franklin Street, Suite 206
Vancouver, Washington 98660
360.750.9931